

JUL 28 '00 (FRI) 16:00

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Reissue Application of:****Dennison et al.****U.S. Patent No.: 5,229,326****Issued: July 20, 1993****For: METHOD FOR MAKING
ELECTRICAL CONTACT WITH AN
ACTIVE AREA THROUGH SUB-MICRON
CONTACT OPENINGS AND A
SEMICONDUCTOR DEVICE****Reissue Serial No.: 09/488,099****Filed: January 18, 2000****Attorney Docket No.: 3255.1US
(91-507.1RE)****CERTIFICATE OF MAILING**

I hereby certify that this paper or fee along with any Attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

7/31/00
Date of Deposit

Signature of registrant, practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(c)(1)(ii)

Joseph A. Walkowiak
Typed/printed name of person whose signature is contained above

ASSENT OF ASSIGNEE TO REISSUE**Assistant Commissioner for Patents
Washington, D.C. 20231****Sir:**

The undersigned assignee of the entire interest in U.S. Patent No. 5,229,326 hereby assents to the above-identified application for reissue of U.S. Patent No. 5,229,326.

Pursuant to 37 C.F.R. § 3.73, the undersigned representative of the Assignee has reviewed the evidentiary documents, specifically the Assignment to Micron Technology, Inc. recorded on June 23, 1992, at Reel 6201, Frames 976-978, and certifies that to the best of his knowledge and belief, title remains in the name of Micron Technology, Inc.

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The undersigned further avers that he is empowered to make and sign the foregoing certification on behalf of the Assignee, and to take the action set forth herein on behalf of the Assignee, pursuant to a resolution of its Board of Directors.

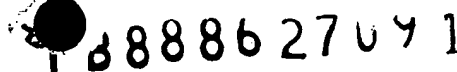
Micron Technology, Inc.

Date: 7-31-00

By: 

Michael L. Lynch
Reg. No. 30,871
Chief Patent Counsel

N:\2269\3255.1\Assent of Assignee to Release.wpd



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Charles H. Dennison et al.

Reissue of U.S. Patent No. 5,229,326

Issued: July 20, 1993

For: METHOD FOR MAKING ELECTRICAL \$
CONTACT WITH AN ACTIVE AREA \$
THROUGH SUB-MICRON CONTACT \$
OPENINGS AND A SEMICONDUCTOR \$
DEVICE \$

Copy of Reissue Declaration
Intended for
Application No. 09/488,099

Atty. Docket: MCRO:001/MLY

REISSUE DECLARATION

**Honorable Assistant Commissioner
of Patents and Trademarks
Washington, D.C. 20231**

Express Mail Mailing Label Number _____
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

DEANA KAUFMAN
Signature

As a below-named inventor, I hereby declare that:

I believe the undersigned inventors to be the original and first joint inventors of the subject matter which is claimed, and for which a reissue patent is sought, on the invention entitled "METHOD FOR MAKING ELECTRICAL CONTACT WITH AN ACTIVE AREA THROUGH SUB-MICRON CONTACT OPENINGS AND A SEMICONDUCTOR DEVICE", the specification of which is attached hereto.

I have reviewed and understand the contents of the above identified specification, including the claims. I believe the captioned patent to be partially inoperative by virtue of our claiming less than we had a right to claim in the patent.

I believe the error in the captioned patent which renders the patent partially inoperative is one of the disclosed invention being claimed too narrowly. Specifically, I believe that the last three steps of the invention as recited in claim 1 are not necessary to patentability, and are not an essential portion of our invention. Accordingly, claim 17 as submitted in the accompanying reissue application seeks to cure this defect by including all of the subject matter of claim 1, with the exception of the last three recited steps ("providing a

second insulating layer...; patterning and etching the second insulating layer...; and "providing a conductive layer over the second insulating layer...").

Even with the invention as recited in newly presented claim 17, the limitations of claims 6, 7, 8 and 9 represent significant further refinements to the invention as recited in claim 17. Claims 6-9 are each dependent from claim 1. In view of the presentation of the broader subject matter of claim 17, the limitations of claim 7 have been rewritten as claim 18, dependent on claim 17. Similarly, the limitations of claim 8 have been rewritten as claim 19, also dependent on claim 17; and the limitations of claim 9 have been rewritten as claim 20, also dependent on claim 17. The limitations of claim 6 have been combined with the subject matter of claim 17, and are presented as independent claim 21.

I believe a further error lies in the invention being recited too narrowly in independent claim 10. As with claim 1, claim 10 is excessively narrow in reciting the steps after the step of "depositing a second oxide layer over the nitride layer and the polysilicon plug". Accordingly, independent claim 22 as submitted herein seeks to correct this error by reciting the subject matter of claim 10, but eliminating the last two steps currently recited in claim 10 (i.e., the steps of "patterning and etching the second oxide layer...; and providing a conductive layer over the second oxide layer...").

Further, the subject matters of each of claims 12, 13 and 14 are believed to represent significant aspects of the invention as recited in independent claim 22. Accordingly, the limitations of claims 12, 13 and 14 (each currently dependent from claim 10) have been rewritten as claims 23, 24 and 25, each dependent from claim 22.

Upon information and belief, the errors sought to be corrected by the current reissue occurred as a result of the failure of the attorney prosecuting the application to fully appreciate the scope of the invention. I did not at the time fully appreciate the undue narrowness of the claims. The above errors were only recently discovered during the course of a review of the patent for which reissue is sought.

The above errors arose without any deceptive intention on the part of the applicants.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby direct that all correspondence and telephone calls be addressed to Ms. Lia Pappas Dennison, Esq., Micron Technology, Inc., 2805 East Columbia Road, Boise, Idaho 83706-9698 (208) 368-4500.

I, the undersigned, hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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